

REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. Claim amendments are presented herein to obviate the current rejection. No new matter has been added.

35 USC § 112

Claims 1-34 stand rejected under 35 USC § 112. These rejections are respectfully traversed. Each of the independent claims has been amended to recite further fuel cell components. In addition, claim 19 and its dependent claims have been amended to delete the term "thin".

Accordingly, it is respectfully requested that this basis for rejection be withdrawn.

35 USC § 102

Claims 1-6, 11, 12, 16, and 18 stand rejected under 35 USC § 102(b) as allegedly being anticipated by Spindt. This rejection is respectfully traversed.

Spindt fails to disclose a membrane electrode assembly as recited in the claim 1.

Accordingly, claims 1-6, 11, 12, 16, and 18 are novel with regard to Spindt and should be allowable.

Double Patenting

Claims 1-34 stand rejected as allegedly being obvious over Hartley in view of Schumacher.

Hartley does not claim a membrane electrode assembly as recited in the claim 1 nor the fuel cell components of claims 19 and 33. Moreover, Schumacher fails to disclose such elements. As a result, the combination of Hartley and Schumacher does not render the current claims obvious.

Accordingly, this basis for rejection should be withdrawn.

CONCLUSION

It is believed that all of the pending claims have been addressed in this paper. However, failure to address a specific rejection, issue or comment, does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above are not intended to be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment. Applicant asks that all claims be allowed.

Applicant is concurrently filing herewith a Petition for a two month extension of time along with the requisite fee. Enclosed herewith is a check for \$225 to reply the previous office action. If there are any questions regarding these amendments and remarks, the Examiner is encouraged to contact the undersigned at the telephone number provided below. The Commissioner is hereby authorized to charge any additional fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 34793-501.

Respectfully submitted,



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